

1 A. Yes.

2 Q. So between August 4th and the time you first met
3 Mrs. Palmer, did you happen to see her punch card?

4 A. No.

5 Q. When did you first see Mrs. Palmer's punch card?

6 A. When I had to do payroll.

7 Q. And when was the first time you did payroll?

8 A. Two weeks, it's a two-week payroll, biweekly.

9 Q. Where are the punch cards normally kept?

10 A. In the laundry room.

11 Q. Are employees allowed to take their punch card
12 home with them?

13 A. No.

14 Q. Who informed you that the punch cards were in the
15 laundry room?

16 A. I don't recall.

17 Q. But you knew that they were there when you first
18 started working?

19 A. After taking a tour and seeing what's in the
20 hotel, around the hotel, yes.

21 Q. You had mentioned that you didn't know who the
22 employees were and had no way of finding out; is that
23 correct?

24 A. Correct.



1 Q. Did you take a look at the punch cards to see who
2 the employees were?

3 A. Eventually.

4 Q. Is there a reason why you didn't look at the
5 punch cards to find out who was working when you first
6 started?

7 A. Probably because I didn't think of it.

8 Q. Now, you said that you had received some comment
9 cards, five by seven comment cards. What is the, I
10 guess, normal process for receiving customer complaints?
11 Is it just by customer cards or these five by seven
12 cards?

13 A. Yes.

14 Q. Have you ever received any verbal complaints that
15 you later recorded on a comment card?

16 A. No.

17 Q. Have any guests ever given you any verbal
18 complaints that you maybe logged somewhere in a diary or
19 logbook?

20 A. No.

21 Q. So the only customer complaints that you usually
22 receive or that you have received as general manager are
23 written comment cards from customers themselves?

24 A. If we get a room complaint, then we have a



1 maintenance logbook that we write that there is a room
2 complaint, something is out of order or something needs
3 to be fixed. We have that log. But --

4 Q. Now, as far as customers complaining about staff,
5 rudeness and friendliness, et cetera, the only method
6 that Nabstar or that you as general manager are aware of
7 are those customer cards; is that correct?

8 A. Correct, and whether or not they go to Choice
9 Hotels.

10 Q. I'm sorry?

11 A. Choice Hotels, that's our umbrella.

12 Q. And you said whether or not they go to Choice
13 Hotels. Would you explain that?

14 A. They can put compliments or complaints to Choice
15 about their hotel stays with any of the Choice Hotels.

16 Q. Where are the comment cards kept?

17 A. The front desk.

18 Q. And who gets to see these comment cards?

19 MR. CONNORS: Object to the form. The
20 completed ones or the uncompleted ones?

21 BY MS. SMITH:

22 Q. Comment cards that are turned in, either
23 compliments or complaints from customers, once they are
24 filled out by a guest either complimenting or complaining



1 about someone or something, who is entitled to view those
2 cards?

3 A. Usually the guests turn them in at the front
4 desk. And then they are put in my slot. And it depends
5 on what they are pertaining to. Then I discuss it with
6 that employee or now that we have our the front desk
7 manager. It depends on what, whether it's a comment or a
8 compliment or a complaint.

9 Q. Now, you mentioned the first time that you met
10 Mrs. Palmer she came to you to say that she worked the
11 breakfast shift, someone else was working there, and that
12 you discussed her schedule; is that correct?

13 A. Correct.

14 Q. And that you determined that her schedule would
15 not fit within the needs of Nabstar; is that correct?

16 A. Correct.

17 Q. And at that same time, you then realized that she
18 was the employee that was referred to in the comment card
19 that you had received over the weekend?

20 A. Correct.

21 Q. And did you take any steps, at that point, to
22 discipline her?

23 A. No, not that I recall.

24 Q. Do you recall ever having a meeting with her or



Joan Payne

35

1 ever informing her that her services were no longer
2 needed with the company?

3 A. Not that I recall.

4 Q. Did you ever send any type of documentation
5 saying that your services are no longer needed with this
6 company?

7 A. No, I don't think so.

8 (Thereupon, a short recess was had.)

9 (Thereupon, the reporter read back as
10 requested.)

11 (Payne Deposition Exhibit No. 1, Letter from
12 Joan Payne Dated August 20, 2003, was marked for
13 identification.)

14 BY MS. SMITH:

15 Q. Take a minute or two to read it over. Have you
16 had the opportunity to review this document marked Payne
17 1?

18 A. Yes.

19 Q. Do you recognize this document?

20 A. Yes.

21 Q. Can you tell me if that is your signature located
22 at the bottom or mid bottom left over Joan Payne?

23 A. Yes.

24 Q. And what is the date of the letter?



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1 A. August 20th, 2003.

2 Q. And as of this date, Mrs. Palmer was no longer
3 working at Sleep Inn?

4 A. Yes.

5 Q. Do you recall why you sent this letter?

6 A. Yes.

7 Q. Why?

8 A. Her daughter called and asked, that she needed a
9 letter stating that Ms. Palmer was no longer employed at
10 the Sleep Inn for Workmen's Comp.

11 Q. Workmen's Compensation?

12 A. Yes. Or what is it?

13 Q. Unemployment?

14 A. Yes. I'm sorry.

15 Q. Do you recall terminating Mrs. Palmer from
16 employment?

17 A. Yes.

18 Q. Do you recall why you terminated Mrs. Palmer's
19 employment?

20 A. The main reason was the schedule. And the second
21 was because of her work ethics.

22 Q. Okay. How long did Mrs. Palmer work under you
23 before you terminated her employment?

24 A. I would say approximately two weeks or two



1 weekends.

2 Q. And in that span of time, you did not know
3 Mrs. Palmer was working for Sleep Inn, correct?

4 A. Correct.

5 Q. Could you explain what about Mrs. Palmer's work
6 ethics that you found to be cause for her termination?

7 A. Slowness in the kitchen area. There were guest
8 complaints that they had to keep coming to the front
9 desk, I was told, asking for supplies at the breakfast
10 that weren't being supplemented, cleanliness of the
11 breakfast area.

12 Q. You received customer complaints about
13 Mrs. Palmer?

14 A. About the breakfast area, yes, over the weekend.

15 Q. Had she worked the one weekend or had she worked
16 two weekends?

17 A. I know, in our discussion, she worked one
18 Saturday and one weekend and a Saturday, Sunday the next
19 weekend. So I'm not sure, that two-week period, what she
20 worked.

21 Q. And were these customer complaints in writing?

22 A. No.

23 Q. So she received customer complaints verbally?

24 A. The front desk received verbally. They relayed



1 them to me.

2 Q. Did you make a log of this, of these complaints?

3 A. We have a bible we call the front desk bible. I
4 don't think there is anything in there. I don't recall
5 making a log, no.

6 Q. So you had received a customer complaint
7 regarding her or been made aware of customer complaints
8 regarding her service either one Saturday or one full
9 weekend that she worked the breakfast shift?

10 A. Correct.

11 Q. And is it your testimony that those complaints
12 led you to then terminate Mrs. Palmer's employment?

13 MR. CONNORS: Object to the form. You may
14 answer it.

15 THE WITNESS: Not so much the performance;
16 it was more the work schedule. We needed somebody
17 full-time for breakfast.

18 BY MS. SMITH:

19 Q. Did you offer Mrs. Palmer any other options as
20 far as her schedule was concerned?

21 A. The housekeeping.

22 Q. And what was Mrs. Palmer's response?

23 A. She was unable to do that.

24 Q. Were there different responsibilities and hours



1 related to the housekeeping duties?

2 A. Actually, they started a little later than the
3 breakfast person, but it was still a full-time job, not a
4 part-time job. And that's what we hire there is
5 full-time people.

6 Q. So it's your testimony that there were no
7 part-time workers currently at Sleep Inn?

8 A. Correct.

9 Q. Did you ever issue Mrs. Palmer a written warning
10 or written discipline?

11 A. Just the one I wrote that day of her -- I wrote
12 it down. I think it's insubordination because she wasn't
13 flexible with her schedule and her work performance was
14 not up to par.

15 (Palmer Deposition Exhibit No. 2, Warning
16 Notice, was marked for identification.)

17 BY MS. SMITH:

18 Q. Have you had an opportunity to review Payne 2?

19 A. Yes.

20 Q. Do you recognize this document?

21 A. Yes.

22 Q. Is this your signature, your personal manager's
23 signature on the middle right?

24 A. Yes.



1 Q. And is this a warning notice for Islyn Palmer for
2 the breakfast shift?

3 A. Yes.

4 Q. And the date of the warning states August 20th,
5 2003?

6 A. Yes.

7 Q. And the date of violation states August 16, 2003;
8 is that correct?

9 A. Yes.

10 Q. So you issued this warning on the 20th?

11 A. That's what it says.

12 Q. Did you issue this warning personally to
13 Mrs. Palmer? Did you give this directly to Mrs. Palmer
14 in person?

15 A. I don't recall doing it. I don't remember. I
16 know it was written here that I did a verbal warning with
17 her.

18 Q. The 16th, August 16th was a Saturday morning in
19 2003. And were you working Saturday morning?

20 A. Not that I recall.

21 Q. August 20th was a Wednesday in 2003. And I
22 presume you were working at that time?

23 A. Correct.

24 Q. However, if you look at Payne Number 1, that



1 letter indicates that she was already not working at
2 Sleep Inn. She had already been terminated. My question
3 is: If Mrs. Palmer had already been terminated, why then
4 would you issue a warning notice to Mrs. Palmer if she
5 had already been terminated?

6 MR. CONNORS: Object to the form.

7 THE WITNESS: Okay. This is not a written
8 notice. This is what -- this is a verbal warning that I
9 wrote a notation that I have a warning, that I made her
10 aware of her performance from the weekend and it was not
11 up to par. And because of her poor performance and we
12 discussed her scheduling, then I let her go.

13 BY MS. SMITH:

14 Q. But could you explain why you wrote the date of
15 warning as being August 20th, 2003?

16 A. Repeat the question.

17 Q. I will back up. Why did you write out a warning
18 notice?

19 A. It's a notice -- it's for me to know what I did.
20 Because it's a verbal warning. That's why there is no
21 signature. There is a verbal warning.

22 Q. So for a verbal warning, the employee does not
23 have to be aware that there was a notice written and she
24 doesn't have to sign to verify what the warning was



1 about; is that correct?

2 A. Correct.

3 Q. What was the purpose of writing the verbal
4 warning on 8/20/03 if, in fact, Mrs. Palmer had already
5 been terminated?

6 MR. CONNORS: Object to the form.

7 THE WITNESS: Okay. She was terminated.
8 This was done in the morning. And she was let go. So I
9 made a notation to myself what happened in the morning.

10 BY MS. SMITH:

11 Q. So she was terminated on the 20th?

12 A. Best recollection.

13 Q. So let me make sure I'm clear on this. You
14 issued a warning notice in the morning?

15 MR. CONNORS: Object to the form.

16 Q. Is it correct that you issued a warning notice in
17 the morning or you drafted a warning notice in the
18 morning, terminated Mrs. Palmer in the morning and then
19 later sent a letter to Mrs. Palmer in response to a call
20 you got from her daughter that same day?

21 A. Correct.

22 Q. Is there a progressive discipline policy at Sleep
23 Inn?

24 MR. CONNORS: Object to the form. You may



1 answer.

2 THE WITNESS: Usually it's two written
3 warnings.

4 BY MS. SMITH:

5 Q. Did Mrs. Palmer ever receive a written warning?

6 A. No, that I recall.

7 Q. And why did she not receive a written warning?

8 A. I don't know.

9 Q. Okay. You mentioned earlier that Mrs. Palmer was
10 terminated partially because of insubordination. Is it
11 correct that her unwillingness to change her schedule in
12 your testimony was insubordination?

13 A. Yes.

14 Q. Do I have that correct?

15 A. Yes.

16 Q. Are you familiar with the Code of Conduct at
17 Sleep Inn?

18 A. I read it. But I haven't read it recently.

19 MS. SMITH: You can mark this as Payne 3.

20 (Payne Deposition Exhibit No. 3, Employee
21 Handbook, was marked for identification.)

22 BY MS. SMITH:

23 Q. Have you had the opportunity to review Payne 3?
24 Have you had an opportunity to read Payne 3?



1 A. Yes.

2 Q. Do you recognize this document?

3 A. Yes.

4 Q. Is this part of the Employee Handbook of Sleep
5 Inn?

6 A. Correct.

7 Q. Is this the handbook that you follow to maintain
8 decorum or conduct among your staff?

9 A. Try to, yes.

10 Q. Do you refer to this document at all as a
11 guideline as to how to discipline your staff?

12 A. Sometimes.

13 Q. Was this document used as a guideline in your
14 decision to terminate Mrs. Palmer?

15 A. No.

16 Q. I want to call your attention to -- I don't
17 believe I have any extra copies -- the Defendant's
18 Answers to the Plaintiff's Interrogatories that we
19 served. It's a series of questions and answers that I
20 served to counsel that a representative of Sleep Inn was
21 supposed to certify as true when answering my questions
22 about this case.

23 And to call your attention to question
24 Number 2, Mr. Connors, I can read it aloud or you can



1 show Miss Payne the question. In general, I'm asking
2 what policy Defendant, Sleep Inn, alleges that
3 Mrs. Palmer violated. And the certified answer reflects
4 that it was a violation of defendant's Code of Conduct
5 and defendant supplied me with this document. So you
6 just testified that you did not, in fact, use this Code
7 of Conduct to terminate Mrs. Palmer; is that correct?

8 MR. CONNORS: Object to the form of the
9 question. You can answer it. That's fine.

10 BY MS. SMITH:

11 Q. So is it your testimony that the information
12 supplied in defendant's answers to interrogatories is
13 false?

14 A. Can repeat that question?

15 Q. Sure. You just said that you did not use this
16 Code of Conduct in terminating Mrs. Palmer. Did you not
17 refer to this Code of Conduct, correct?

18 A. Correct.

19 MR. CONNORS: I object. What do you mean by
20 refer to it? Did she read it before? Did she read it
21 before she did it? Did she know about it? I think
22 that's an unfair open-ended question.

23 MS. SMITH: That's a speaking objection.
24 I'll object to your objection. Coaching from your



1 defense counsel is not permitted.

2 MR. CONNORS: Which it was not done either.

3 BY MS. SMITH:

4 Q. When you terminated Mrs. Palmer, did you use this
5 Code of Conduct as a guideline as to what actions to take
6 regarding her termination?

7 A. No.

8 Q. Did Mrs. Palmer violate any of the policies in
9 this Code of Conduct?

10 MR. CONNORS: I'm going to object on the
11 basis that this question has been asked and answered
12 before in the form of a written response to a written
13 question.

14 MS. SMITH: And this is a deposition of
15 Miss Payne. And, therefore -- I mean, your objection is
16 noted. But, obviously, you can answer the question.

17 THE WITNESS: Repeat the question.

18 BY MS. SMITH:

19 Q. The question is: Did Mrs. Payne violate --

20 A. Mrs. Payne?

21 Q. I'm sorry. Did Mrs. Palmer violate any of the
22 policies in this Code of Conduct?

23 A. I would say, after reading the Code of Conduct,
24 it would be the insubordination, failure to carry out



1 positions, responsibilities and reasonable work request
2 of management.

3 Q. Does it say despite warnings?

4 A. Yes, it does.

5 Q. How many warnings did you give Mrs. Palmer before
6 you terminated her?

7 A. I don't think I did any.

8 Q. Is there a reason why you did not do that?

9 A. I would say because of the attitude I got when we
10 had our discussion.

11 Q. And how did Mrs. Palmer react to you?

12 A. She was very hyper. Because of knowing, thinking
13 that her job had been replaced and already having guest
14 comments and trying to work out a schedule, she wasn't
15 cooperative.

16 Q. So you don't think, if in fact Mrs. Palmer was
17 hyper as you say, you don't think she was justified in
18 that being as though someone had taken her job?

19 MR. CONNORS: Object to that question.
20 That's argumentative.

21 BY MS. SMITH:

22 Q. You can answer.

23 A. Not when it was the first time that she met me,
24 and I didn't know who she was and she really didn't know



1 who I was and the conflict of the changeover. I thought
2 she was somewhat disrespectful to me when I was trying to
3 explain things to her. So --

4 Q. So did you, in fact, attempt to give her any more
5 opportunities to improve her work ethic and give her, I
6 guess, an opportunity according to the Code of Conduct?

7 A. I tried.

8 MR. CONNORS: Object to the form of that
9 question.

10 BY MS. SMITH:

11 Q. And you can answer if you understand the
12 question.

13 A. I think it was discussed that we would give her
14 an opportunity if she could work the hours, as we were
15 not looking for a part-time employee.

16 Q. We are going to put that aside for now. Just for
17 clarification purposes, when you began as general manager
18 in August, 2003, were all employees then given a new
19 application?

20 A. I think so.

21 Q. How was this done? How did you go about issuing
22 new applications to the employees?

23 A. By the employees that were there, finding out
24 from them who they thought was staying and who was not



1 going to be staying and leave applications at the front
2 desk for them to fill out.

3 Q. Do you know if Mrs. Palmer ever filled out an
4 application?

5 A. I think later she did.

6 Q. At the front desk?

7 A. I don't recall.

8 Q. Did you ever give Mrs. Palmer an application to
9 fill out?

10 A. No.

11 Q. Did you ever see Mrs. Palmer's application?

12 A. Later in her file.

13 Q. When you say later, when is that? When did you
14 see her application?

15 A. I guess a couple weeks later.

16 Q. When you say a couple of weeks, was it before the
17 first time you met her or after?

18 A. After.

19 Q. And the first time you met her was the day you
20 gave her the warning and the termination letter; is that
21 correct?

22 A. Correct.

23 Q. And then that's the first time you saw her
24 application?



1 A. Not that day.

2 Q. So it was after you terminated her that you found
3 her application?

4 A. Correct.

5 Q. Where was the application?

6 A. It was in her file I presume.

7 Q. Where was this file kept?

8 A. In the office.

9 Q. Was this apart from any of the other employees?

10 A. No.

11 Q. Is there a reason why you never saw this file
12 until after she was terminated?

13 A. Repeat the question.

14 Q. Is there a reason why you did not see this file
15 before Mrs. Palmer was terminated?

16 A. Not that I recall.

17 Q. When Mrs. Palmer came in to see you, was that her
18 scheduled workday?

19 A. No.

20 Q. Why then did she come in to see you?

21 A. I presume because she was upset that someone was
22 there over the weekend to work the breakfast.

23 Q. Do you know if she inquired as to why that was?

24 A. I don't recall.



1 Q. Did she inquire as to whether she would be able
2 to continue to work the breakfast shift?

3 A. I don't recall.

4 Q. Do you recall anything, any other discussions
5 that you had about the breakfast shift regarding
6 Mrs. Palmer?

7 A. I know we went back and forth talking about
8 trying to get a full-time and her being upset that she
9 thought she was replaced.

10 Q. Just to clarify also your previous testimony,
11 just make sure I have that, it's clear on the record,
12 Mrs. Palmer had been working breakfast shift for a number
13 of years before the takeover, and did you consider her
14 willingness to change her shift to a full-time position
15 to be insubordination?

16 MR. CONNORS: Object to the form of the
17 question. You may answer.

18 THE WITNESS: Well, part of insubordination,
19 but also not the needs for what we wanted for the hotel.

20 BY MS. SMITH:

21 Q. Do you know the age of Mrs. Palmer?

22 A. No, I do not.

23 Q. Do you know if she's older than any of the other
24 employees that you have currently on staff?



1 A. I guess she is.

2 MR. CONNORS: Don't guess. Do you know?

3 THE WITNESS: I'm sorry. What?

4 MR. CONNORS: Do you know?

5 THE WITNESS: If she's older?

6 MR. CONNORS: Yeah.

7 THE WITNESS: No, I do not.

8 BY MS. SMITH:

9 Q. Do you know the ages of any of your staff?

10 A. Several.

11 Q. Do you know the age of miss Marisol Gomez?

12 A. No, I do not.

13 Q. Do you know if Miss Gomez replaced charging party
14 in her breakfast shift?

15 A. Yes.

16 MR. CONNORS: Object to the form of that
17 question.

18 BY MS. SMITH:

19 Q. Well, I will rephrase. Did Marisol Gomez take
20 over the breakfast shift that Mrs. Palmer had previously
21 worked?

22 A. Yes, I think so.

23 MR. CONNORS: Same objection.

24 Q. And to further clarify, in 2003 is the time



1 frame, is that still a yes?

2 A. Yes.

3 Q. August?

4 MR. CONNORS: Same objection.

5 (Payne Deposition Exhibit No. 4, Social
6 Security and Resident Alien Card of Marisol Gomez, was
7 marked for identification.)

8 BY MS. SMITH:

9 Q. Have you had an opportunity to review Payne 4?

10 A. Yes.

11 Q. Do you recognize the two items on Payne 4 that
12 are photocopied here?

13 A. Yes.

14 Q. What do you recognize this as?

15 A. We ask for two formal ID's for employees.

16 Q. And who is the employee represented in these two
17 items?

18 A. Marisol Gomez.

19 Q. And the top one, it appears to be a Social
20 Security card or a copy of a Social Security card,
21 correct?

22 A. Correct.

23 Q. And the other one is a Resident Alien card?

24 A. Correct.



1 Q. On the bottom also with her name, Marisol Gomez,
2 correct?

3 A. Correct.

4 Q. And underneath of her first name, Marisol, and a
5 Resident Alien card, there is a date, 04/24/76. Do you
6 see that date?

7 A. Yes.

8 Q. Do you recognize that as a birth date?

9 A. No.

10 Q. A date of birth. I'm sorry.

11 A. No.

12 Q. Do you have any idea what the number represents,
13 April 24th, 1976?

14 A. No, I do not.

15 MR. CONNORS: Object to the form of that
16 question.

17 BY MS. SMITH:

18 Q. How are you aware of any of the other
19 individuals' ages at Sleep Inn?

20 MR. CONNORS: You mean now?

21 Q. Any of your employees' ages that you are aware of
22 at any time.

23 A. We try to do a monthly birthday thing for the
24 employees.



(Payne Deposition Exhibit No. 5,
Housekeeping Schedule, was marked for identification.)

BY MS. SMITH:

Q. Have you had an opportunity to review Payne 5?

A. Yes.

Q. Have you ever seen this document before?

A. Yes.

Q. What is this document?

A. It's a housekeeping schedule.

Q. When was the first time that you saw this
schedule?

A. I would say probably the week of my employment.

Q. The week that you first started?

A. Uh-huh.

Q. It's marked at the top "old" at the top left. Is
that your handwriting?

A. Yes.

Q. So you wrote "old" on this document?

A. Yes.

Q. Why did you wrote "old" on this document?

A. Because this was the previous owner's
housekeeping schedule.

Q. Okay. And where did you come across this
schedule?



1 A. Housekeeping office.

2 Q. Was there some sort of manager of housekeeping or
3 you just found it in the office?

4 A. Found it in the office.

5 Q. The individuals -- there seems to be names listed
6 on the left-hand side. All the way to the left under
7 where it says dates, there are some names. Are you
8 seeing that?

9 A. Yes.

10 Q. Do any of these individuals still work for Sleep
11 Inn in the housekeeping department?

12 A. Currently?

13 Q. Yes.

14 A. No.

15 Q. None of them are working any longer?

16 A. Correct.

17 Q. You will see over Isabel -- the last name in
18 housekeeping says Isabel?

19 A. Yes.

20 Q. And the name above it says "Merizol" with a "Z?"

21 A. Yes.

22 Q. Is she no longer working with Sleep Inn?

23 A. Correct.

24 Q. Is this the same Marisol that began working the



1 same shift as Mrs. Palmer?

2 A. I think so.

3 Q. You said you think so?

4 A. Yes.

5 Q. But are you sure?

6 A. Pretty sure. Because we only had one Marisol.

7 So I'm pretty sure it was her.

8 Q. Did you assign Miss Gomez to work the shift that
9 Mrs. Palmer had originally worked, the breakfast shift?

10 A. Yes, I think so.

11 Q. Was she an existing employee of Sleep Inn?

12 A. Who?

13 Q. Marisol Gomez.

14 A. No, I don't think so.

15 Q. As of August 1st, 2001, she appeared to be on the
16 housekeeping schedule; is that correct?

17 MR. CONNORS: Object.

18 Q. Miss Marisol Gomez.

19 MR. CONNORS: Object to the form of the
20 question.

21 THE WITNESS: She's not on the housekeeping
22 schedule. She doesn't start until 8/6.

23 BY MS. SMITH:

24 Q. She's on the schedule. I guess my question is:



1 Does the schedule start date say 8/1?

2 A. Correct.

3 Q. And this is a schedule that the previous owners
4 had that you found in the housekeeping office, correct?

5 A. Correct.

6 Q. And she was already on it, correct?

7 A. No. Because that's my handwriting.

8 Q. Okay. So you wrote in Marisol's name on the old
9 schedule?

10 A. Marisol, Isabel.

11 Q. So these two are new employees that you hired?

12 A. Yes.

13 Q. You personally hired?

14 A. I think so.

15 Q. Did you personally hire Miss Gomez?

16 A. I don't recall.

17 Q. But she's on the old schedule but you believe
18 that she's a new hire?

19 A. This is the schedule that I found in
20 housekeeping. These are two employees. They needed to
21 know when they were going to work. And I put them on
22 here until I could have done the new schedule. Because
23 we were reformatting everything because we didn't know
24 who was staying and who was leaving.



1 Q. Was she hired as a full-time employee?

2 A. Yes.

3 Q. Is there a reason why she's only on the schedule
4 here one time?

5 A. I don't recall. Because I, probably because I
6 was doing a new schedule.

7 Q. Let's go down a little bit under "breakfast."
8 And you see Islyn and Lorenza; do you see those names,
9 I-S-L-Y-N towards the bottom left?

10 A. Yes.

11 Q. Do you know if that refers to Islyn Palmer?

12 A. No, I don't. I'm assuming.

13 Q. At the time when you saw the schedule, you didn't
14 know who Islyn Palmer was; is that correct?

15 A. Correct.

16 Q. But you saw a name and dates and times on the old
17 schedule, correct?

18 A. Correct.

19 Q. And does this schedule go up until August 15th at
20 the end?

21 A. Correct.

22 Q. So the individuals on this schedule were
23 scheduled to work, according to this document, August 2nd
24 and August 3rd of 2003, and also on August 9th; is that



1 correct?

2 A. Correct.

3 Q. So at the time you saw this schedule, did you, at
4 that time, believe these names to be the existing
5 employees at Sleep Inn?

6 A. No.

7 Q. Then who did you think the individuals were that
8 were listed on this schedule?

9 A. I knew they were employees of the Sleep Inn, but
10 I did not know if they were going to be still employees
11 of the Sleep Inn.

12 Q. Do you recall a Petronila Corral?

13 A. Yes.

14 Q. Was she an employee at Sleep Inn?

15 A. Yes.

16 Q. How did you come to know that she was an employee
17 of Sleep Inn?

18 A. Because she was still there when we got there.

19 Q. Did you see her during the week?

20 A. Yes. She was in the housekeeping.

21 Q. Did you ever speak to Miss Corral about other
22 individuals who worked at Sleep Inn?

23 A. No.

24 Q. Did you ever speak to Laura or Edith about anyone

